

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 20-20029

v.

HON. DENISE PAGE HOOD

WINDER DARBY, JR. D-4,

Defendant.

_____ /

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

On January 16, 2024, United States Magistrate Judge Kimberly G. Altman conducted a plea hearing with Defendant Winder Darby's consent. The Magistrate Judge thereafter issued a Report and Recommendation recommending that this Court accept Defendant's plea of guilty. To date, no party has filed an Objection to the Report and Recommendation, and the time to file such has passed.

As such, any right to appeal is waived as to the Magistrate Judge's findings that Defendant was competent to enter a plea and that the plea was entered knowingly, intelligently, voluntarily, without coercion, and with a basis in fact. See FED. R. CRIM. P. 11(b); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly,

IT IS ORDERED that Magistrate Judge Kimberly G. Altman's Report and

Recommendation (ECF No. 110) is ACCEPTED and ADOPTED as this Court's findings.

IT IS FURTHER ORDERED that Defendant's plea of guilty and the Rule 11 Plea Agreement are ACCEPTED.

s/Denise Page Hood

DENISE PAGE HOOD

United States District Judge

DATED: March 26, 2024